

NICHOLAS A. TRUTANICH  
United States Attorney  
Nevada Bar No. 13644  
CHRISTOPHER BURTON  
Nevada Bar No. 12940  
ELHAM ROOHANI  
Nevada Bar No. 12080  
Assistant United States Attorneys  
501 Las Vegas Blvd. South, Suite 1100  
Las Vegas, Nevada 89101  
PHONE: (702) 388-6336  
FAX: (702) 388-5087  
[Christopher.Burton4@usdoj.gov](mailto:Christopher.Burton4@usdoj.gov)  
[Elham.Roohani@usdoj.gov](mailto:Elham.Roohani@usdoj.gov)

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

**-oOo-**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

JOHN DAVID YODER,

Defendant.

Case No. 2:13-cr-00368-JAD-VCF

STIPULATION TO CONTINUE  
SENTENCING

IT IS HEREBY STIPULATED AND AGREED, by and between NICHOLAS A. TRUTANICH, United States Attorney, and Ellie Roohani and Christopher Burton, Assistant United States Attorneys, counsel for the United States of America, and JOHN DOLAN, representing Defendant JOHN DAVID YODER, that the sentencing currently scheduled for March 16, 2020, at 2:30 p.m., be vacated and continued to a date and time to be set by this Honorable Court but no sooner than May 4, 2020.

This stipulation is entered into for the following reasons:

1. Counsel for the defendant needs additional time to review the Presentence

1 Investigation Report with the defendant and determine what objections, if any, to file.

2 2. Counsel for the defendant needs additional time to prepare for sentencing.

3 3. The parties agree to the continuance.

4 4. The defendant JOHN DAVID YODER is currently detained pending trial but  
5 does not object to a continuance. The defendant is also currently serving a California state  
6 sentence in *People v. David Yoder*, Riverside Superior Court Case No. RIF1501674.

7 5. Further, the additional time requested herein is not sought for purposes of delay,  
8 but to allow counsel sufficient time within which to be able to effectively and completely prepare  
9 for sentencing.

10 6. This is the first stipulation to continue sentencing filed herein.

11 DATED this 10th day of March, 2020.

12  
13 Respectfully submitted,  
14 NICHOLAS A. TRUTANICH  
United States Attorney

15  
16 //s//  
JOHN DOLAN  
Counsel for Defendant  
17 JOHN DAVID YODER

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19 //s//  
ELHAM ROOHANI  
CHRISTOPHER BURTON  
Assistant United States Attorneys

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**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

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UNITED STATES OF AMERICA,

Case No. 2:13-cr-00368-JAD-VCF

Plaintiff,

vs.

**ORDER**

JOHN DAVID YODER,

Defendant.

Based on the pending Stipulation of counsel, and good cause appearing therefore, the Court finds that:

1. Counsel for the defendant needs additional time to review the Presentence Investigation Report with the defendant and determine what objections, if any, to file.
  2. Counsel for the defendant needs additional time to prepare for sentencing.
  3. The parties agree to the continuance.
  4. The defendant JOHN DAVID YODER is currently detained pending trial but does not object to a continuance. The defendant is also currently serving a California state sentence in *People v. David Yoder*, Riverside Superior Court Case No. RIF1501674.
  5. Further, the additional time requested herein is not sought for purposes of delay, but to allow counsel sufficient time within which to be able to effectively and completely prepare for sentencing.
  6. This is the first stipulation to continue sentencing filed herein.
- For all of the above-stated reasons, the ends of justice would best be served by a continuance of the sentencing.

1 **CONCLUSIONS OF LAW**

2 The ends of justice served by granting said continuance outweigh the best interest of the  
3 public and the defendant, since the failure to grant said continuance would be likely to result in  
4 a miscarriage of justice, would deny the parties herein sufficient time and the opportunity  
5 within which to be able to effectively and thoroughly prepare for sentencing, taking into  
6 account the exercise of due diligence.

7 **ORDER**

8 IT IS ORDERED that the sentencing currently scheduled for March 16, 2020, at 2:30  
9 p.m., be vacated and continued to May 4, 2020, at the hour of 2:00 p.m.

10 DATED 11th day of March, 2020.

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13 THE HONORABLE JENNIFER A. DORSEY  
14 UNITED STATES DISTRICT JUDGE  
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